

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
CRIMINAL NO. 25-148 (DSD/DTS)

United States of America,

Plaintiff,

v.

**ORDER**

Martin Pliego-Torres,

Defendant.

This matter is before the court upon the government's appeal of the magistrate judge's order granting defendant release pending trial.

The district court will modify or set aside a magistrate judge's order on a nondispositive issue only if it is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); D. Minn. L.R. 72.2(a). This is an "extremely deferential" standard. Reko v. Creative Promotions, Inc., 70 F. Supp. 2d 1005, 1007 (D. Minn. 1999). "A finding is clearly erroneous when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." Chakales v. Comm'r of Internal Revenue, 79 F.3d 726, 728 (8th Cir. 1995) (citations and internal quotation marks omitted). "A decision is contrary to law when it fails to apply or misapplies relevant statutes, case law or rules of procedure." Knutson v. Blue Cross

& Blue Shield of Minn., 254 F.R.D. 553, 556 (D. Minn. 2008) (citations and internal quotation marks omitted).

The court has reviewed the record, including the parties' submissions, and find that the magistrate judge correctly concluded that the government has failed to establish by a preponderance of the evidence that defendant poses a serious risk of flight. Nor has the government shown that defendant poses a risk to the community. As a result, the magistrate judge's ruling is affirmed in all respects. Defendant shall remain on bond pending trial.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The order [ECF No. 16] is affirmed; and
2. The government's appeal [ECF No. 19] is denied.

Dated: June 10, 2025

s/David S. Doty  
David S. Doty, Judge  
United States District Court